

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

JUSTIN YEAGER

Plaintiff

v.

BOY SCOUTS OF AMERICA, ET AL.

Defendants

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Civil Action No. 5:25cv30-RWS-JBB

ORDER

Before the Court is the Report and Recommendation of the United States Magistrate Judge recommending the dismissal of this case. Docket No. 2. Plaintiff Justin Yeager, an inmate of the Bowie County Jail proceeding *pro se*, filed this lawsuit under 42 U.S.C. § 1983 complaining of alleged violations of his constitutional rights. The case was referred to the United States Magistrate Judge.

On March 26, 2025, the Magistrate Judge issued a Report and Recommendation, recommending that Plaintiff be denied *in forma pauperis* status and that the above-styled civil rights lawsuit be dismissed with prejudice as to the refiling of another *in forma pauperis* lawsuit raising the same claims as herein presented, but without prejudice to the refiling of this lawsuit upon payment of the full \$405.00 filing fee or proof of imminent danger related to the allegations of the complaint. Docket No. 2 at 3–4. The Magistrate Judge further recommended that should Plaintiff pay the full filing fee within 15 days after the date of entry of dismissal, he be allowed to proceed in this lawsuit as though the full fee had been paid from the outset. *Id.*

Plaintiff received a copy of this Report on March 28, 2025, but has filed no objections to date. Docket No. 3. Accordingly, he is barred from *de novo* review by the District Judge of those findings, conclusions, and recommendations and, except upon grounds of plain error, from appellate

review of the unobjected-to factual findings and legal conclusions accepted and adopted by the District Court. *Duarte v. City of Lewisville*, 858 F.3d 348, 352 (5th Cir. 2017).

The Court has reviewed the pleadings in this cause and the Report and Recommendation of the Magistrate Judge. Upon such review, the Court has determined that the Report of the Magistrate Judge is correct. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir.), *cert. denied*, 492 U.S. 918 (1989) (where no objections to a Magistrate Judge's Report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law"). Accordingly, it is

ORDERED that the Report and Recommendation of the Magistrate Judge (Docket No. 2) is **ADOPTED** as the opinion of the District Court. It is further

ORDERED that Plaintiff is denied *in forma pauperis* status. It is further

ORDERED that the above-styled civil rights lawsuit is **DISMISSED WITH PREJUDICE** as to the refiling of another *in forma pauperis* lawsuit raising the same claims as herein presented, but **WITHOUT PREJUDICE** to the refiling of this lawsuit upon payment of the full \$405.00 filing fee or proof of imminent danger related to the allegations of the complaint. Should Plaintiff pay the full filing fee within 15 days after the date of entry of dismissal, he is allowed to proceed in this lawsuit as though the full fee had been paid from the outset. It is further

ORDERED that any pending motions are **DENIED AS MOOT**.

So ORDERED and SIGNED this 1st day of May, 2025.


ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE